

## **EXHIBIT C**

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1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE  
3 DISTRICT OF MASSACHUSETTS

3

4 TERRI PECHNER-JAMES and  
5 SONIA FERNANDEZ,  
5 Plaintiffs,

6 VS. C.A. NO.  
6 03-12499-MLW

7 CITY OF REVERE, THOMAS  
8 AMBROSINO, MAYOR, CITY  
OF REVERE POLICE  
9 DEPARTMENT, TERRENCE  
REARDON, CHIEF, BERNARD  
FOSTER, SALVATORE  
10 SANTORO, ROY COLANNINO,  
FREDERICK ROLAND,  
11 THOMAS DOHERTY, JOHN  
NELSON, JAMES RUSSO,  
12 MICHAEL MURPHY and  
STEVEN FORD,  
13 Defendants.

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15 CONTINUED DEPOSITION of TERRI PECHNER-JAMES  
16 taken at the request of the Defendants Foster,  
17 Santoro, Colannino, Roland, Doherty, Nelson,  
18 Russo, Murphy and Ford, pursuant to Rule 30 of  
19 the Federal Rules of Civil Procedure before Carol  
20 A. Jeffrey, a notary public in and for the  
21 Commonwealth of Massachusetts, on June 7, 2006,  
22 commencing at 11:00 A.M. at the offices of  
23 Reardon, Joyce & Akerson, 397 Grove Street,  
24 Worcester, Massachusetts.

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1 A P P E A R A N C E S:

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7 FOR THE DEFENDANTS CITY OF REVERE, AMBROSINO,  
REARDON:

8 WALTER H. PORR, JR., ESQ.  
9 PAUL CAPIZZI, ESQ.  
10 OFFICE OF THE CITY SOLICITOR  
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City Hall  
11 Revere, Massachusetts 01251

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13 FOR THE DEFENDANTS FOSTER, SANTORO, COLANNINO,  
ROLAND, DOHERTY, NELSON, RUSSO, MURPHY AND FORD:

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## 1 I N D E X

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3 DEPONENT: TERRI PECHNER-JAMES

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5 CONTINUED EXAMINATION BY MR. PORR 1350

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## 9 EXHIBITS

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12 37 December 1998 Calendar Page 1425

13 38 January-December 1999 Calendar  
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15 40 Sexual Harassment Policy Booklet 1548

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1                   MR. PORR: We're back on the record,  
2 continuing the deposition of Terri Pechner-James.  
3 It's a few minutes after 11:00 o'clock, Miss  
4 James was here right on the dot at 10:00, but  
5 Miss Dawne Thorne ran into transportation  
6 problems and just got here.

7                   There's been an offer to go until 6:00  
8 to make up for the lost hour, and I think we'll  
9 just play it by ear and see how the day plays  
10 out.

11                  MS. THORNE: All right.

12                  TERRI PECHNER-JAMES, PREVIOUSLY SWORN  
13 CONTINUED EXAMINATION BY MR. PORR:

14                  Q.     Good morning, Miss James.

15                  A.     Good morning.

16                  Q.     You know of course that you're still  
17 under oath. We haven't resworn you because the  
18 oath that you took to start the deposition  
19 process still is in place, correct?

20                  A.     Yes.

21                  Q.     Have you taken any medications today?

22                  A.     Yes.

23                  Q.     What have you taken?

24                  A.     Paxil and Synthroid.

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1 Q. Okay. Do you need to take a break?

2 Why don't we take a break.

3 (Recess taken from 11:45 to 11:51.)

4 Q. All right, we're back on the record.

5 I gather that after approximately five minutes,

6 Officer Randall then responded to this dispatch?

7 A. Yes.

8 Q. So he got out of your car, got in his

9 car and left?

10 A. Correct.

11 Q. What did you do?

12 A. Followed him there.

13 Q. Followed him --

14 A. To the call.

15 Q. Why was that?

16 A. I don't know.

17 Q. Were you dispatched as backup?

18 A. No, Ronny Thornton was.

19 Q. Ronny?

20 A. Thornton.

21 Q. Was discharged as backup. Where was

22 the call?

23 A. 107.

24 Q. I'm sorry?

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1 premarked the calendar on the days that you'd be  
2 working, you know, January, February, et cetera?

3 A. Correct.

4 Q. And then ultimately as it played out,  
5 you didn't stay on the split shift, but the  
6 calendar had already been written on?

7 A. Correct.

8 MR. PORR: Okay. All right. Counsel,  
9 I have 1:20, and I'm prepared to move on to  
10 discussing the January '99 meeting in some  
11 detail. Take maybe a 45-minute break until 2:00  
12 for lunch?

13 MS. THORNE: That's good.

14 MR. AKERSON: Sounds good.

15 (Luncheon recess taken 1:20 to 2:10.)

16 MR. PORR: We're back on the record.  
17 And before we get started, we are reconvening  
18 after our lunch break, and we started an hour  
19 late, and Miss Thorne at the beginning of the  
20 session offered to go until 6:00 to make up for  
21 the missing hour. And then during lunch break,  
22 defense counsel discussed that, and the weather  
23 is deteriorating or continuing to be bad, and on  
24 top of that, my oldest daughter and son-in-law

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1 Q. Whose watch are we going to use?

2 A. Yours.

3 Q. Very well.

4 THE WITNESS: I actually have to go to  
5 the bathroom, that's why I was looking at my  
6 watch.

7 MR. PORR: Oh, okay, let's take a  
8 break so we can do that.

9 (Recess taken from 4:20 to 4:23.)

10 Q. Let me hand the witness what's been  
11 marked as Exhibit 40. Do you recognize that as  
12 the sexual harassment policy which you were  
13 referencing on page 11 of your notes?

14 A. Yes.

15 Q. Okay. Do you recall when this policy  
16 was distributed? I know it has an April 1 date,  
17 but do you recall when it was circulated to the  
18 entire department?

19 A. No.

20 Q. Do you recall having to sign for the  
21 policy?

22 A. Yes.

23 Q. And when you signed for the policy, is  
24 that also an indication that you've read the

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1 and ask what they had done in connection with  
2 this entry in your notes that humiliated you in  
3 front of others and the public.

4 I don't think Foster or Russo should  
5 be on this list, because Foster wasn't the  
6 supervisor for the split shift.

7 A. Okay. Well, your question I guess was  
8 very broad, because it just seemed to me that you  
9 were --

10 Q. It's tied directly to this note.

11 A. But there's no date on that. I don't  
12 have a date, I finally decided to -- so there's  
13 no date on there, and when you just asked that  
14 question, maybe madam reporter can read back to  
15 where I got confused.

16 Q. Okay. We've established though that  
17 this note is chronologically between April 4 of  
18 '99 and July 5 of '99. As of April 4 of '99, you  
19 were still working the split shift, correct?

20 A. Right.

21 Q. As of July 5, '99, you had moved onto  
22 the evening shift where Lieutenant Bernard Foster  
23 was in charge.

24 A. To me, maybe with all the dates, I'm

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1 getting very confused. If you ask me an incident

2 and ask me what happened -- I'm confused here.

3 So maybe we should just call it because --

4 MR. PORR: Okay, then we'll do that.

5 We can go off the record.

6 (The deposition suspended at 4:44.)

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